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Attorneys for Chapter 7 Trustee,
Kyle Everett

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re

BENJA INCORPORATED,

Debtor.

Case No. 20-30819-DM

Chapter 7

**DECLARATION OF STEPHEN D.
FINESTONE IN SUPPORT OF
CHAPTER 7 TRUSTEE'S MOTION
FOR ENTRY OF ORDER
PURSUANT TO ECF 150 (PETERS
COMPROMISE ORDER)**

[No Hearing Unless Requested; Notice
and Opportunity for Hearing Filed
Pursuant to B.L.R. 9014-1(b)(3)]

I, Stephen D. Finestone, declare as follows:

1. I am an attorney admitted to practice law in the State of California and this Court. I am a partner in the firm of Finestone Hayes LLP (the "Firm"). This Declaration is filed in Support of the Motion for Entry of Order Pursuant to ECF 150 (Peters Compromise Order) filed by Kyle Everett, Chapter 7 Trustee (the "Trustee").

2. After obtaining permission from Mr. Peters' former counsel, Michael St. James, I spoke with Mr. Peters about his financial and personal situation in the context of his request that the Trustee accept \$50,000 rather than the \$130,000 due to the bankruptcy estate. Mr. Peters

FINESTONE DECLARATION ISO MOTION FOR ENTRY OF COMFORT ORDER

1 made clear that he did not want to have a judgment entered against him but had limited resources
2 with which to resolve the situation. He had cashed out his retirement accounts to satisfy back
3 taxes. While he had some business prospects to generate revenue, those prospects were uncertain
4 both as to completion and timing. Mr. Peters advised me that he could obtain \$50,000 from a
5 third party if that amount would satisfy his obligation to the estate.

6 3. Based on my conversation with Mr. Peters, I concluded that he would not be a
7 good collection risk for the estate and it was prudent to accept the alternative proposal.

8
9 I declare under penalty of perjury that the above statements are true and with respect to those
10 matters stated on information and belief, I believe them to be true. This Declaration was
11 executed in San Francisco County, California on October 2, 2024.

12 /s/ Stephen D. Finestone
13 Stephen D. Finestone
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